

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

IN RE:

Scott V Miller  
Belinda G Miller

Debtors

CASE NO: 14-31857  
(Chapter 13)

JUDGE LAWRENCE S. WALTER

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TRUSTEE'S OBJECTION TO ALLOWANCE OF CLAIM

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Jeffrey M. Kellner, Chapter 13 Trustee, objects to the claim of US BANK TRUST NA, C/O CALIBER HOME LOANS INC, 13801 WIRELESS WAY, OKLAHOMA CITY, OK 73134, Trustee claim number 00001, Court claim number 8, filed July 18, 2014 in the amount of \$164,128.86 on the ground(s) that:

The Trustee has requested additional information regarding the mortgage proof of claim, which the Creditor has failed to provide. Specifically, the Trustee requested a breakdown/explanation of the item listed on line 4 Part 2 of the B 10A (Attachment A) of the arrears portion of the mortgage proof of claim in the amount of \$1,790.00. The charge for filing fees and Court costs seems excessive since the standard foreclosure filing fee for Miami County, Ohio is \$500.00. Therefore, the Trustee is objecting to the arrears portion of the mortgage proof of claim in the amount of \$1,790.00.

The Trustee moves that:

Disallow the arrears portion of the mortgage proof of claim in the amount of \$1,790.00. Allow the remaining arrears of \$25,121.28 and the monthly conduit in the amount of \$1,223.89.

/s/ Jeffrey M. Kellner

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Jeffrey M. Kellner 0022205  
Chapter 13 Trustee  
131 N LUDLOW ST SUITE 900  
DAYTON, OH 45402-1161  
(937)222-7600 Fax (937)222-7383  
email: chapter13@dayton13.com

14-31857

**NOTICE OF OBJECTION TO CLAIM**

Jeffrey M Kellner, Chapter 13 Trustee, has filed an objection to your claim in this bankruptcy case.

**Your claim may be reduced, modified, or eliminated.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to reduce, modify or eliminate your claim, then on or before **thirty (30) days from the date set forth in the certificate of service for the objection to the claim**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to Clerk, US Bankruptcy Court, Southern District of Ohio, 120 W Third St., Dayton, OH 45402 OR your attorney must file a response using the court's ECF system.

The court must receive your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF system or by 2) regular U.S. Mail to

Scott V Miller, 156 W. Hamilton Street, West Milton, OH 45383

Belinda G Miller, 156 W. Hamilton Street, West Milton, OH 45383

DAVID L MIKEL, 210 W MAIN ST, TROY, OH 45373

Jeffrey M. Kellner, Chapter 13 Trustee, 131 N. Ludlow St., Dayton, OH 45402

Office of the U.S. Trustee, 170 North High St., Suite 200, Columbus, OH 43215

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to claim and may enter an order reducing, modifying, or eliminating your claim without further hearing or notice.

CERTIFICATE OF SERVICE

14-31857

I hereby certify that on August 27, 2014, a copy of the attached was served on the following ECF participants electronically through the court's ECF System at the email address registered with the court.

OFFICE OF THE U S TRUSTEE  
170 NORTH HIGH ST  
SUITE 200  
COLUMBUS, OH 43215

DAVID L MIKEL  
210 W MAIN ST  
TROY, OH 45373

And on the following by ordinary U.S. Mail, on August 27, 2014:

Scott V Miller  
Belinda G Miller  
156 W. Hamilton Street  
West Milton, OH 45383

(48.1n)  
JOE ANDERSON, CEO  
C/O CALIBER HOME LOANS INC  
3701 REGENT BLVD  
IRVING, TX 75063

(44.1n)  
MARTHA R SPANER  
REISENFELD & ASSOCIATES LPA LLC  
3962 RED BANK ROAD  
CINCINNATI, OH 45227

(1.1)  
US BANK TRUST NA  
C/O CALIBER HOME LOANS INC  
BOX 650856  
DALLAS, TX 75365

(1.3)  
US BANK TRUST NA  
C/O CALIBER HOME LOANS INC  
13801 WIRELESS WAY  
OKLAHOMA CITY, OK 73134

(1.4)  
DAVID H YUNGHANS  
REISENFELD & ASSOCIATES LPA LLC  
3962 RED BANK ROAD  
CINCINNATI, OH 45227

(1.2)  
RICHARD K DAVIS, CHAIR/PRES/DIR  
US BANK NATIONAL ASSOCIATION  
425 WALNUT STREET  
CINCINNATI, OH 45202-3912

Jeffrey M Kellner, Trustee

/s/ Jeffrey M. Kellner

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**Certified Mail Certificate of Service**

14-31857

I hereby certify that a copy of the attached was served by electronic service or was mailed by certified mail to each of the following on the date of the electronic filing.

RICHARD K. DAVIS, CHAIR/PRES/DIR  
U.S. BANK NATIONAL ASSOCIATION  
425 WALNUT STREET  
CINCINNATI, OH 45202-3912

By Certified Mail Number: (Chapter 13 Use Only)

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JEFFREY M. KELLNER By /s/ JEFFREY M. KELLNER

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**Certified Mail Certificate of Service**

14-31857

I hereby certify that a copy of the attached was served by electronic service or was mailed by certified mail to each of the following on the date of the electronic filing.

JOE ANDERSON, CEO  
CALIBER HOME LOANS, INC  
3701 REGENT BLVD.  
IRVING, TX 75063

By Certified Mail Number: (Chapter 13 Use Only)

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JEFFREY M. KELLNER By /s/ JEFFREY M. KELLNER

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